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writers. The text-writer at least may be supposed to be treating his subject broadly, and not to be speaking with reference to any particular state of facts not placed before his reader.

A case book prepared along these lines affords very little material for use in training the student's power of investigation or familiarizing him with the development of the principles of the law. The primary object of the case book is to provide him with material for examination and comparison in order that he may define or explain away inconsistencies of the decided cases and understand the development of the law. In short, it should be an instrument for developing the power of reasoning soundly, which is the primary object of legal education. Cases which are purely illustrative or judicial opinions which are selected because they contain compendiums of legal rules are convenient and useful, but not essential. The summarizing of rules and the use of illustrations is clearly the function of the instructor which may easily be performed by him if the proper foundation has been laid by the use of what we have indicated as the more essential material for class room work.

There is great need of a satisfactory case book on the law of insurance in nearly all the law schools of the country. It is to be regretted that Professor Woodruff has not met this need in a manner more consistent with the requirements of the case system of legal instruction. His book has some useful and valuable qualities and will undoubtedly be used, especially in institutions committed to the case method of instruction, but largely for the reason that there is no better book in the field; and it may be doubted whether the use of a book of this character presents any advantages over the older method of instruction based upon the use of text books.

A TREATISE ON GUARANTY INSURANCE. By Thomas Gold Frost. Boston: Little, Brown & Company. 1902. pp. xxxviii, 547.

The author tells us "That the theory upon which this work is written has been that of leaving to the courts their natural and allotted task of defining the unsettled principles of guaranty insurance law by future adjudications; while to the writer of the legal treatise belongs the less pretentious task of digesting the 'case law' of to-day with a view of deducing therefrom such rules and principles as a close and intelligent reading may seem to justify." For obvious reasons it is to be regretted that Dr. Frost has taken such a modest view of his function as the writer of a "treatise" on the law. The modern growth of the various forms of guaranty insurance has given rise to a considerable body of law in which the familiar principles of the law of insurance are applied under new conditions. To some extent at least it requires special treatment by the legal writer, which is inadequate indeed if it gives us nothing more than an elaborated digest of the cases. Barring however the consequences of this self-imposed limitation the book is a very creditable production and bears evidence of pains-taking and thoughtful preparation. The author cites about four hundred cases, most of them of recent date, which he seems to have selected and arranged with discrimination. The larger portion of the work is

devoted to the consideration of general principles applicable to all branches of guaranty insurance, but there are special chapters upon the law of contract, credit, title and judicial insurance. There is also a brief chapter on pleading, and a chapter on practice which contains very little to justify its title, a fact which perhaps excuses its presence in a work devoted to the law of insurance. The classification adopted is not always scientific, as is notably the case in sec. 79 on the Classification of Conditions. Despite these peculiarities the work is one which should be welcomed by the profession. It will have an immediate practical value not only because it is the first in a new field but because it contains a full collection of the cases and a concise statement of the rules of law governing the subject so far as they have been definitely settled.

A TREATISE ON THE LAW OF ATTACHMENTS, GARNISHMENTS, JUDGMENTS AND EXECUTIONS. By John R. Rood. Ann Arbor: Geo. Wahr. 1901. pp. 183, 549.

This work is primarily for the use of students, and the author expressly disclaims any attempt to make it exhaustive upon any point, or to enter into competition with the authors of the extensive treatises upon these subjects. To use his own language his design has been to give "a clear outline of the whole, without that cloud of details and the confusing review of inconsistent decisions upon them, which the writer of a complete text must give." The plan adopted to carry out this design is somewhat unusual. About one-third of the volume of over five hundred pages consists of a text, divided into two hundred and twenty-five sections, stating concisely the author's views upon the topics under consideration, with citations of authorities. The balance consists of selected cases illustrative of the doctrines declared in the preceding pages. The volume, therefore, is not a text-book in the ordinary acceptance of the term, nor is it a case-book in the sense in which that designation is generally employed, for we do not find here a selection of cases tracing the historical development of the principles relating to the subjects treated, and from the study of which the law is to be ascertained. Nevertheless, in view of the comparatively short time allotted to these and kindred topics in the curricula of the law schools, and the importance of the topics, it is by no means certain that the plan of the work has not been well chosen to accomplish the purpose for which it was chiefly intended. The views expressed in the text upon disputed questions—such, for instance, as that of "collateral attack"—cannot be expected to meet with universal concurrence, and upon questions not disputed, some might occasionally prefer a different form of expression, but, as a rule, the author's views are clearly stated, and the illustrative cases seem to have been fairly and carefully selected.

#### REVIEWS TO FOLLOW:

THE CONSTITUTIONAL HISTORY OF THE UNITED STATES. By Francis Newton Thorpe. Chicago: Callaghan & Co. 1901. pp. xxi, 595; xix, 685; xvi, 718.